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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,482	12/22/2003	Hongyong Zhang	0553-0111.02	7770

7590 06/04/2004
Cook, Alex, McFarron, Manzo,
Cummings & Mehler, Ltd.
Ste. 2850
200 West Adams St.
Chicago, IL 60606

EXAMINER

DUONG, TAI V

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/743,482

Applicant(s)

ZHANG ET AL. 

Examiner

Tai Duong

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 10-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/143,109.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/22/03</u> . | 6) <input type="checkbox"/> Other: ____. |

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 10, 13, 14, 17, 18 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Aoki et al'389.

Note Figs. 1 and 2 an electronic apparatus comprising a display region (13, 53) and a sensor region (17) provided over a first substrate 12, a spacer which is also a seal (not labeled) provided between the first substrate and a second substrate 13 wherein no spacer is provided over the sensor region and the sensor region comprises amorphous silicon 21 (col. 2, lines 2-68). See the spacer/seal 13 in Fig. 1 of Aoki et al'231 which is disclosed in the Aoki et al'389 patent (col. 2, lines 63-68).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11, 15 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoki et al'389 in view of Helms.

Claims 11, 15 and 19 additionally recite the above electronic apparatus being incorporated into a personal computer (PC). Helms discloses in Fig. 1 that it was known

Art Unit: 2871

to incorporate the above electronic apparatus (12, 14) into a PC 10 (col. 2, line 66 – col. 3, line 9). Thus, it would have been obvious to a person of ordinary skill in the art in view of Helms to incorporate the above electronic apparatus of Aoki'389 into a PC for automatically adjusting the backlight to the ambient lighting conditions of the environment in which the PC is being used.

Claims 12, 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoki et al'389 in view of Applicant's Prior Art Disclosure (APAD).

Claims 12, 16 and 20 additionally recite the sensor region comprising a switching transistor. APAD discloses that it was known to employ a sensor region comprising a switching transistor (specification, page 2). Thus, it would have been obvious to a person of ordinary skill in the art in view of APAD to employ a sensor region comprising a switching transistor in the above electronic apparatus of Aoki'389 for accurately detecting the lighting conditions due to the threshold of the switching transistor.

Any inquiry concerning this communication should be directed to Tai Duong at telephone number (571) 272-2291.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



TVD

06/04



TOANTON
PRIMARY EXAMINER